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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
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on October 25, 2004

Date of Deposit

Heidi A. Dare, Reg. No. 50,775

Name of applicant, assignee or
Registered Representative

Heidi A. Dare

Signature
October 25, 2004

Date of Signature

Our Case No. 5658/925

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Pigford et al.)	
Serial No.: 10/629,465)	Examiner: Debra S. Meislin
Filing Date: July 28, 2003)	Group Art Unit No.: 3723
For: FASTENER EXTRACTOR)	
)	

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction/Election Requirement in the Office Action mailed September 24, 2004, Applicants provisionally elect the species of FIG. 8 and claims 1-3 and 5-41 readable on the species of FIG. 8, with traverse.

Applicants traverse the restriction requirement and respectfully request that the Examiner withdraw the restriction requirement from the application, and allow the application to proceed to examination of all the figures and claims.

Applicants traverse the 5-way species restriction based on the presence of a generic claim. Each of the FIGS. 1-10 relates to a fastener extractor having a plurality of helical ridges extending along an interior bore. Applicants assert that there is no additional search burden for the species identified by the Examiner. A reasonable number of species may be claimed in a single application (MPEP 809.02(b)). With respect to the presence of a generic claim, Applicants assert that independent claims 1, 19 and 39 are generic to the embodiments of FIGS. 1-10.

Applicants reserve the right to file a continuing application to pursue non-elected inventions, and to add dependent claims after the allowance of the elected claims.

Applicants clarified with the Examiner by telephone on October 12, 2004 that the species identified by (e.) should be the species of FIG. 10 and not the species of FIG. 5 as set forth in the Office Action.

Applicants have provisionally elected, with traverse, claims 1-3 and 5-41 that read on at least FIG. 8.

Reconsideration is respectfully solicited.

Respectfully submitted,


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